

IAP7 Rec'd PCT/PTO 04 AUG 2006

**IN THE UNITED STATES RECEIVING OFFICE  
OF THE PATENT COOPERATION TREATY**

Application No. : 10/554,237 Confirmation No.: 1348  
Applicant: : Dunse et al.  
International Filing Date: April 23, 2004  
Group Art Unit : Not yet assigned  
Examiner: : Not yet assigned  
Docket No. : 007193-13  
Customer No. : 36,234

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence, along with any other document mentioned as being enclosed, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Express Mail Label No. EQ287726148US.

4 Aug 2006  
Date

  
Marilyn J. Morris

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**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC 371**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
ATTN: EO/US

Dear Sir:

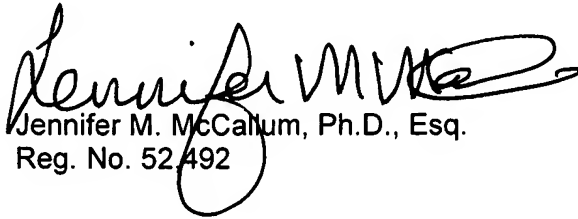
In response to the Notice to File Missing Requirements mailed June 15, 2006, included herewith are:

1. Copy of Formalities Letter (Notification of Missing Requirements Under 35 U.S.C. 371);
2. Executed Inventors' Declaration and Power of Attorney;
3. A Diskette with the Sequence Listing in Computer Readable Form;
4. Statement Regarding Sequence Listing; and
5. Credit Card Payment Form authorizing payment of \$130 for the surcharge for late filing of the Declaration.

08/09/2006 GFREY1 00000018 10554237  
01 FC:1617 130.00 OP

It is believed that no further fees are required at this time; however, if additional fees are required, please charge such fee or credit any overpayment to Deposit Account No. 502679.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jennifer M. McCallum", with a stylized flourish at the end.

Jennifer M. McCallum, Ph.D., Esq.  
Reg. No. 52,492

THE MCCALLUM LAW FIRM, LLC  
P.O. Box 929  
685 Briggs Street  
Erie, CO 80516  
Telephone: 303-828-0655  
Fax: 303-828-2938

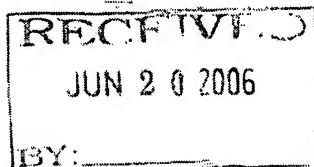


## UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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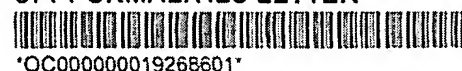
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/554,237	Kerry Michelle Dunse	007193-13

36234  
 JENNIFER M MCCALLUM, PH D, ESQ  
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INTERNATIONAL APPLICATION NO.	
PCT/AU04/00524	
I.A. FILING DATE	PRIORITY DATE
04/23/2004	04/23/2003

CONFIRMATION NO. 1348  
 371 FORMALITIES LETTER



Date Mailed: 06/15/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/21/2005
- Copy of the International Search Report filed on 10/21/2005
- Preliminary Amendments filed on 10/21/2005
- Request for Immediate Examination filed on 10/21/2005
- U.S. Basic National Fees filed on 10/21/2005
- Priority Documents filed on 10/21/2005
- Specification filed on 10/21/2005
- Claims filed on 10/21/2005
- Abstracts filed on 10/21/2005
- Drawings filed on 10/21/2005
- Paper nucleotide sequence listings filed on 10/21/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

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Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/554,237	PCT/AU04/00524	007193-13

FORM PCT/DO/EO/905 (371 Formalities Notice)